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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 BERT WAYNE DAVISSON,

9 Defendant.

Case No. 2:16-cr-00265-GMN-NJK

ORDER

(Docket No. 1948)

10 Pending before the Court is Defendant Bert Wayne Davisson's memorandum. Docket No.
11 1948. The memorandum makes substantive requests regarding the United States' response to
12 Defendant's motion to dismiss. *Id.* Any request for relief, however, must be filed as part of a
13 motion or stipulation.

14 Nonetheless, the Court considers the portion of the memorandum in which Defendant asks
15 the Court to strike the United States' response to his motion. *Id.* at 2-3. The United States did, in
16 fact, file its response after the Court-extended deadline. See Docket Nos. 1927, 1946. Further,
17 the United States certified its untimely response as timely, which troubles the Court. Docket No.
18 1946 at 1. Nonetheless, to resolve the motion on its merits, the Court will consider the United
19 States' response. The Court **ADMONISHES** the United States to more carefully track deadlines
20 and to ensure that its certifications to the Court are accurate. Any such failure in the future may
21 result in sanctions.

22 The Court **ORDERS** that any reply to the United States' response must be filed no later
23 than November 8, 2019. All other requests for relief in Defendant's memorandum are more

1 appropriately raised through other means; therefore, the Court declines to consider them at this
2 time.

3 IT IS SO ORDERED.

4 DATED: November 4, 2019.

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7 NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE
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